

REMARKS

In the specification, the paragraph at page 5, lines 18-24 was amended as suggested by the Examiner.

The Examiner objected to claims 1 and 5 under 35 U.S.C. 112, first paragraph, for lack of support for the limitation “selectable weights” in the specification. Although the undersigned disagrees with that conclusion, claims 1 and 5 have been amended to more closely follow the literal language of the specification. For support, note page 9, lines 14-25. As noted at line 15, a source node “weights the number of entries to each route to favor the shortest route.” In the next paragraph, it is noted that the “forwarding table can be adjusted to dynamically balance the load across the output trunks.” The balancing is obtained by “rewriting the route in this entry to direct packets to a more lightly loaded output trunk. By adjusting routes, and hence the distribution of flows, one at a time, the load incrementally approaches perfect balance across the output trunks.” This rewriting of routes will be understood by one skilled in the art as changing the weighting referenced at line 15.

Claims 3 and 7 were objected to under 35 U.S.C. 112, first paragraph, for failing to provide support for “the output port mapping being adjustable.” Again, Applicant disagrees, but the claims have been amended to more closely follow the specific language of the specification. Support can be found at page 9 as discussed above.


The claims were rejected under the judicially created doctrine of obviousness-type double patenting based on U.S. Patent No. 6,359,879 in combination with various other references. Although Applicant disagrees with the rejection, since the present application claims priority to the ‘879 patent and in order to expedite prosecution, a Terminal Disclaimer is attached to overcome the rejection.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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